

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Scott Thomas Molloy

Serial No. 09/767,330

Examiner: Sam Phirin

Confirmation No. 9338

Filed: January 22, 2001

Group Art Unit: 2616

For: METHOD AND APPARATUS FOR AUTOMATIC DOCUMENT
INTERCHANGE BETWEEN ELECTRONIC MAIL (E-MAIL) AND
FACSIMILE (FAX) SYSTEMS

Date: May 14, 2007

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION TO OVERCOME A CITED PUBLICATION
UNDER 37 C.F.R. § 1.131**

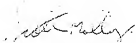
1. I am the inventor of the invention described in U.S. Patent Application Ser. No. 09/767,330 ('330 application) we reference in more detail above.
2. The examiner rejects claims 1-16 of the '330 application under 35 U.S.C. § 103(a) as being unpatentable over Konsella (U.S. Patent Application 2002/0075519) in view of Henry (U.S. Patent 6,424,426) and claims 17-24 of the '330 application under 35 U.S.C. § 102(e) as being unpatentable over Konsella.
3. Konsella was filed and has an effective date of December 20, 2000.
4. I conceived of the invention that is the subject of the claims in the '330 application prior to Konsella's effective date as we evidence by the attached portions of the

invention disclosure (Exhibit A) we submitted internally to Cisco, the present application's assignee, prior to the effective date. The dates and other non-material information have been blacked out or omitted.

5. I continuously conducted work on the invention from a date prior to the effective date until the date of filing of the present application and thereafter.

I declare that all statements made here of my own knowledge are true and that all statements made on information and belief are believed to be true. I understand that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated 5/10/2007



Scott Thomas Molloy